

Trespas for the Rescouē of a Prisoner from the p^{ts} Goaler hee being
sheriffe of Talbott County and Layes the Rescouē Comitted the
day of _____ in the yeare of our Lord 1676, The Defend^t pleads
not guilty and upon that issue taken and verdict for the p^{lt}, The
Judgment ought to bee Arrested

1st ffor the Incertainty of the Declarācon there being noe time said
but y^e yeare 1676, and the words (the day of) are words of noe Cer-
taine signification

2^{dly}: The Act Entituled an Act for limitacon of Certaine Accōns
for Avojdng suite att Lawe, does phibit any accon of trespas to
bee Comenced after Two yeares Expired from such Cause of accōn,
& the originall writt in this Accon was first sued out the seaventeenth
day of October 1678 soe that if the trespas were Comitted before
the seaventeenth day of October 1676. The said Action was barred
by that Act and therefore the said Judgment ought to bee arrested

And the said Vincent Lowe by his Attorney aforesaid saith That
the Judgment aforesaid ought not to bee Arrested. for that hee
saith that in the Declaracon of the said Vincent it is Said. That
whereas att a Court held for the County of Talbott upon the Twen-
tieth day of March 1676 Hono^r Sheham sarvant to Richard Gold
made oath in open Court That Robert Nicholas gott her with Child.
The said Court did order that the said Vincent being high sheriffe
of the said County should take the body of the said Robert Nicholas
and him safe Keepe untill hee should Enter into bond with suffi-
cient suretyes to Keepe the said County harmelesse and from Charge
of the said Honor Sheehams Bastard Child, then Laid to him, and
alsoe untill hee should make Richard Gold satisfacon for his Dam-
ages, By vertue of w^{ch} p^rcept or Ord^r of Court The said Vincent
Lowe being then high Sheriffe of the said County did Cause the
said Robert Nicholas to bee Arrested, and to bee Carryed to the
prisson for the said County, & the said Robert being then and there
in prison and in safe Custody of Edward Wincles one of the Depu-
ties of the said Vincent, Afterwards to witt the _____ day of
1676 The said John Quigley wth force and Armes &c did Rescue &c:
Whereby it plainly appeared that after the said Twentieth day of
March 1676 the said Nicholas was arrested, and after the arrest
was rescued by the Defend^t w^{ch} was in 1676, and that must bee
before the five and Twentieth day of March of the same moneth
of March aforesaid att w^{ch} day the Account of the yeare Ensueing
1677 begunn soe that the time is said Certaine Enough to foure or
five dayes, and the said statute of Limitacons Could not barre the
same, and therefore hee prayes the Judgment aforesaid may be
Affirmed

W^{ch} being Read heard and Argued, and by the Justices here Un-
derstood, Itt seemeth to the same Justices that the reasons aforesaid
are sufficient in Lawe to Arrest the Judgment upon the Verdict of
The Juro^{rs} aforesaid, Therefore itt is Considered That Judgment

Liber W. C.

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